

REMARKS

In the Office Action the Examiner noted that claims 1-14 are pending in the application, and that claims 15-35 have been withdrawn from consideration. The Examiner rejected claims 1-2 and 5-7, allowed claims 8-14, and did not address the allowability of claims 3-4. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

Examiner Has Not Addressed Claims 3-4

Although the Examiner indicated in the Office Action Summary that claims 1-14 are rejected, the following pages of the Office Action actually indicate that only claims 1-2 and 5-7 are rejected. Claims 8-14 are indicated as allowed. Claims 3-4 have not been addressed by the Examiner in the Office Action.

Therefore, the Applicants must assume, as there is no evidence to the contrary, that claims 3-4 are not rejected, and at the most may be objected to by the Examiner. As this Response will show that claim 1, from which claims 3-4 depend, is patentably distinguishable from the cited reference, the Applicants respectfully submit that claims 3-4 must also patentably distinguish over the cited reference. Regardless, even if the Examiner does not indicate that the claims at issue are allowable in the next Office Action issued, the Applicants respectfully submit that the next Office Action should not be made final because claims 3-4 were not addressed in the current Office Action.

Claim Rejections Under 35 USC §102

In items 3-8 on pages 4-6 of the Office Action the Examiner rejected claims 1-2 and 5-7 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. US 2002/0163527, issued to Park (hereinafter referred to as "Park"). The Applicants respectfully traverse the rejections by the Examiner.

Claim 1 of the present application recites "a RGB color signal generator to detect a total maximum value of the RGB color signals, to compare the total maximum value with a predetermined critical value, and to generate RGB color signals so as to increase or decrease a brightness level of an image displayed on the screen by one of a plurality of predetermined ratios based on the comparison result." The Applicants respectfully submit that at least these features

are not disclosed by Park.

The Examiner states that Park discloses an RGB color signal generator “to detect a total maximum value of the RGB color signals (see figure 5, element 20) to compare the total maximum value with a predetermined critical value (see figure 5, element 20, subelement 1).” However, the Applicants respectfully submit that this feature as claimed in claim 1 of the present application is not disclosed in Park. Park discloses a process that allows a user to adjust the brightness levels and color levels of a monitor to create a monitor profile for storage (Abstract). To adjust the brightness level, a predetermined image is displayed on a CRT monitor, and the brightness of the image is then set by a user to the maximum brightness allowed by that monitor (Paragraph [0057]). Therefore, rather than detecting a total maximum value of the RGB color signals being displayed, a user is apparently merely maximizing the brightness of the image. The image is then reduced by the user to a desired size, and the brightness of the image is reduced by the user to match the brightness of an area outside the reduced image (Paragraph [0074]). Therefore, Park does not disclose an RGB color signal generator to detect a total maximum value of the RGB color signals, as is claimed in claim 1 of the present application, but merely allows the user to increase the brightness and contrast of an image to the maximum brightness and contrast before reducing those values to match another area of the display. This is in direct contrast to claim 1 of the present application, which recites an RGB color signal generator to detect a total maximum value of the RGB color signals which are displayed. Further, Park does not disclose comparing the total maximum value with a predetermined critical value, but merely allows a user to decrease the values until a match with another visual element on the same display is approximated. Also, the brightness and contrast values in Park are merely reduced by a user, which is in direct contrast to claim 1 of the present application, in which RGB signals are generated so as to increase or decrease a brightness level of the image displayed on the screen by one of a plurality of predetermined ratios based on the comparison result between the total maximum value and the predetermined critical value.

Therefore, Park does not disclose at least the features of “a RGB color signal generator to detect a total maximum value of the RGB color signals, to compare the total maximum value with a predetermined critical value, and to generate RGB color signals so as to increase or decrease a brightness level of an image displayed on the screen by one of a plurality of predetermined ratios based on the comparison result.” Accordingly, Park does not disclose every element of the Applicants' claim 1. In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP §2131). Therefore, since Park does not disclose the features recited in independent claim 1, as stated above, it is

respectfully submitted that claim 1 patentably distinguishes over Park, and withdrawal of the §102(e) rejection is earnestly and respectfully solicited.

Claims 2 and 5-7 depend from claim 1 and include all of the features of that claim plus additional features which are not taught or suggested by Park. For example, claims 2 recites "wherein the predetermined critical value comprises a first predetermined critical value determined in a case where the brightness level of pixels in an area of the screen from which the total maximum value is detected corresponds to substantially full white, and a second predetermined critical value determined in a case where the brightness level of pixels in the area corresponds to substantially full black." Park does not disclose at least these features, but rather apparently discloses a user decreasing values until the brightness of one part of a display matches the brightness on another part of the display. Therefore, it is respectfully submitted that claims 2 and 5-7 also patentably distinguish over Park.

Summary

It is respectfully submitted that the present application patentably distinguishes over Park. There being no further outstanding objections or rejections, it is also respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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